

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

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|--|---|---------------------|
| CARL E. WATSON, |) | |
| |) | |
| Plaintiff, |) | Civil No. 3:09-0956 |
| |) | Judge Trauger |
| v. |) | |
| |) | |
| V.A. HOSPITAL and DR. (F/N/U) BIRCHMORE, |) | |
| |) | |
| Defendants. |) | |

ORDER

On November 16, 2009, the Magistrate Judge issued a Report and Recommendation. (Docket No. 6) The plaintiff has filed a document that the court has interpreted as objections to the Report and Recommendation (Docket No. 14), and the defendants have responded to those objections (Docket No. 21). The plaintiff has also filed a Motion to Amend (Docket No. 13), to which the defendants have responded in opposition (Docket No. 20).

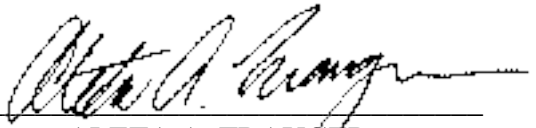
The Motion to Amend was not accompanied by an amended complaint, but the court has examined the "Amendments to Claims" that were part of the objection document (Docket No. 14), in order to determine whether the so-called "amendments" cured the deficiencies in the Complaint pointed out by the Magistrate Judge and state a legal claim that could come before the court. The court has determined that the "amendments" do not rise to that level and that, even with this further explication, the court can find no statement of a valid cause of action in these additional documents.

For the reasons expressed herein, the Motion to Amend (Docket No. 13) is **DENIED AS FUTILE**. The Report and Recommendation (Docket No. 6) is **ACCEPTED** and made the

findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that this case is **DISMISSED WITH PREJUDICE**.

It is so **ORDERED**.

Enter this 10th day of February 2010.



ALETA A. TRAUGER
U.S. District Judge